IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.8288 OF 2005
IN
CRIMINAL APPEAL NO.1194 OF 2005

Parshuram Rambali Chauhan ...Applicant

Vs.

State of Maharashtra ...Respondent

Shri P.A. Arjunwadkar for the Applicant.

Shri A.S.Shitole, A.P.P for the Respondent.

CORAM : A. S. OKA, J.
DATE : OCTOBER 16, 2006.

P.C.:

1. Appeal against conviction is already admitted.

2. The conviction of the Applicant is for offences under section 498-A and 306 of the Indian Penal Code. The substantive sentences have been ordered to run concurrently. The maximum substantive sentence is for five years. The Applicant was on bail throughout the trial. From 06th December, 2005 the Applicant is in Jail.

3. There is no allegation of misuse of the liberty granted during the pendency of trial. I have also perused the impugned Judgment and the notes of evidence.

4. The Appeal is not likely to be heard before the remaining substantive sentence is over. In view of the decision of the Apex Court in the case of Bhagwan Rama Shinde vs. State (1999 (4) Supreme Court Cases Page 421) a case is made out for enlarging the Applicant on bail.

5. Hence, I pass the following order:

(i) The Applicant shall be enlarged on the same bail on which he was enlarged during the pendency of the trial subject to filing fresh bail bonds.

(ii) The Applicant is granted bail subject to condition that he will report to Kolsewadi Police Station, Kalyan once in every calendar month till the disposal of the Appeal.

JUDGE